

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROBERT WILLIAMS,)	
)	CASE NO. 4:10CV0558
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
FEDERAL BUREAU OF PRISONS, <i>et al</i> ,)	
)	<u>MEMORANDUM OF OPINION AND</u>
Defendants.)	<u>ORDER</u> [Regarding ECF Nos. 22 & 26]

Before the Court is the Report and Recommendation of Magistrate Judge Nancy A. Vecchiarelli ([ECF No. 26](#)) recommending that the Defendants' motion to dismiss the complaint of plaintiff, Robert Williams ("Williams") or, in the alternative, for summary judgment be granted ([ECF No. 22](#)).

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a Report and Recommendation within fourteen days of service. [Id.](#); [Fed. R. Civ. P. 72\(b\)\(2\)](#). Failure to object within this time waives a party's right to appeal the district court's judgment. [Thomas v. Arn](#), 474 U.S. 140, 145 (1985); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981). Absent objection, a district court may adopt a magistrate judge's report without review. See [Thomas](#), 474 U.S. at 149.

In the instant case, Williams has not filed objections to the Report and Recommendation during the requisite time period, in spite of his request for an extension of time to do so ([ECF No.](#)

(4:10-cv-00558)

[27](#)). The Court finds that the Report and Recommendation is supported by the record, and agrees with the recommendation to dismiss the Complaint, and that, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), an appeal from this decision could not be taken in good faith.

Accordingly, the Court adopts Magistrate Judge Nancy A. Vecchiarelli's Report and Recommendation. [ECF No. 26](#). Defendants' Joint Motion to dismiss or, Alternatively, Motion for Summary Judgment ([ECF No. 22](#)) is granted and Williams' Complaint([ECF No. 1](#)) is dismissed with prejudice. An appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

January 26, 2012
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge